

UNITED STATES BANKRUPTCY COURT Document

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**FILED**

JEANNE A. NAUGHTON, CLERK

DISTRICT OF NEW JERSEY  
Caption in Compliance with D.N.J. LBR 9004-2(c)  
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David L. Stevens  
*Counsel for Debtor*

In Re:

**RUDY TRBOVICH**

Debtor.

Chapter 13

Case No. 14-23481 (VFP)

Hon. Vincent F. Papalia

Hearing Date: July 18, 2019 @ 10:00 a.m.

*Oral Argument Requested*

U.S. BANKRUPTCY COURT  
NEWARK, N.J.  
BY  DEPUTY

AUG 23 2019

**ORDER TO REOPEN BANKRUPTCY CASE; CLOSING THE CASE  
UPON THE GRANTING OF THE MOTION TO COMPEL NEWTEK  
SMAL BUSINESS FINANCE, LLC REMOVE OF RECORD ITS  
LIEN; AND SANCTIONING CREDITOR**

The relief set forth on the following page, numbered two, is hereby **ORDERED**.

8-23-19

  
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US BJT

Debtor: Rudy Trbovich  
Case No.: 14-23481 RG Doc 85 Filed 08/23/19 Entered 08/23/19 15:01:06 Desc Main Document Page 2 of 2

Caption of Order: ORDER TO REOPEN BANKRUPTCY CASE; CLOSING THE CASE UPON THE GRANTING OF THE MOTION TO COMPEL NEWTEK SMALL BUSINESS FINANCE, LLC TO REMOVE OF RECORD ITS LIEN; AND SANCTIONING CREDITOR

This matter brought by way of motion by Rudy Trbovich, by and through his counsel, Scura, Wigfield, Heyer, Stevens & Cammarota, LLP, seeking entry of an order to reopen the bankruptcy case pursuant to 11 U.S.C. § 350(b) and closing the case upon the granting of a motion finding that Newtek Small Business Finance, LLC ("Newtek") willfully failed to comply with a confirmation order, compelling Newtek to take all appropriate action to release the lien against the Debtor's property, and for compensatory and punitive damages as a result of its willful violation pursuant to 11 U.S.C. § 1327(a) (the "Motion"); and the Court having considered the moving papers, the objection thereto, if any, and the arguments of counsel, if any; and the Court having determined that Newtek did take willful actions violative of the confirmation order; and good and sufficient notice of the Motion having been provided to all parties in interest as set forth in the Certification of Service filed with the Court; and good and sufficient cause having been shown,

*It is hereby ORDERED as follows:*

1. This bankruptcy case shall be re-opened.
2. Newtek shall take all actions necessary to release the lien against the Debtor's property.
3. Newtek shall compensate Debtor in the amount of \$2,500.00, which amount represents the reasonable fees and costs necessitated by Newtek's violative actions. The \$2,500.00 payment shall be made payable to the Debtor and delivered to Debtor's counsel within ten days of entry of this order.
4. A Trustee shall not be appointed
5. The case shall be immediately reclosed